

EXHIBIT 27

**REDACTED CONTENT
FILED UNDER SEAL**

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK

4 -----
5 SERGEY LEONTIEV,

Plaintiff,

6 -against-

7 ALEXANDER VARSHAVSKY,

8 Defendant.

9 Case No. 1:16-cv-03595-JSR
10 -----

11 January 9, 2017

12 10:14 a.m.
13

14 *** CONFIDENTIAL ***

15 DEPOSITION of IRINA ZUBIY, taken
16 by Defendant, pursuant to Notice, held at
17 the offices of DEBEVOISE & PLIMPTON LLP,
18 919 Third Avenue, New York, New York
19 before Wayne Hock, a Notary Public of the
20 State of New York.
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A P P E A R A N C E S:

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ALSO PRESENT:

JONATHAN POPHAM, Videographer

ANNA MAZUROVA, Interpreter

JONATHAN REICH

* * *

1 I. Zubiy -- CONFIDENTIAL

2 Mr. Zheleznyak are privileged for
3 purposes of this litigation?

4 MS. WOLLIN: Ms. Zubiy is an
5 employee of Grid Market Research, Mr.
6 Zheleznyak is a director of Grid
7 Market Research, and Mr. Reich is the
8 general counsel, so their
9 conversations are privileged.

10 MR. HECKER: As it relates to
11 this litigation?

12 MS. WOLLIN: As it relates to
13 anything for which they're seeking Mr.
14 Reich's advice.

15 Q. Putting aside discussions that
16 you had with Mr. Zheleznyak in which Mr.
17 Reich participated, have you separately
18 had discussions with Mr. Zheleznyak about
19 your deposition testimony in this case?

20 A. No.

21 Q. Have you had any discussions
22 with Sergey Leontiev in connection with
23 your deposition in this case?

24 A. No.

25 Q. Do you have a family

1 I. Zubiy -- CONFIDENTIAL

2 relationship with Mr. Zheleznyak?

3 A. Yes, I do.

4 Q. And what is the nature of that
5 relationship?

6 A. He is the husband of my cousin.

7 Q. So Mr. Zheleznyak's wife is your
8 cousin?

9 A. Yes.

10 Q. Is she your first cousin?

11 A. I don't understand the question.
12 What do you mean?

13 Q. Okay.

14 How is it that you're cousins?

15 A. My mother and her dad are sister
16 and brother.

17 Q. Are you familiar with the term
18 "first cousin?"

19 A. No.

20 Okay. Cousin.

21 Q. Ms. Zubiy, where do you live
22 now?

23 A. In Boston.

24 Q. And how long have you lived in
25 Boston?

1 I. Zubiy -- CONFIDENTIAL

2 2011, did you obtain employment?

3 A. Yes.

4 Q. Where did you work?

5 A. In Probusinessbank.

6 Q. And was that beginning in June
7 of 2011?

8 A. No, it was August, 2011.

9 Q. And how did you obtain your
10 position at Probusinessbank?

11 A. Mr. Zheleznyak recommended me to
12 be a part of Probusinessbank.

13 Q. What part?

14 A. Start working in
15 Probusinessbank.

16 Q. Right.

17 Which part of the bank?

18 A. In risk management.

19 Q. Did Mr. Zheleznyak hire you to
20 work in risk management?

21 A. No.

22 Q. Who hired you?

23 A. Lavraytis.

24 Q. Can you spell that?

25 A. L A V R A Y T I S.

1 I. Zubiy -- CONFIDENTIAL

2 Q. Lavraytis?

3 A. Uh-huh.

4 Q. Is that a male or a female?

5 A. A male.

6 Q. What was his role?

7 A. At that time he was the head of
8 the risk department.

9 Q. How many people worked in the
10 risk department, approximately?

11 A. Ten.

12 Q. And did you report to Mr.
13 Lavraytis while working in the risk
14 department?

15 A. Not from the beginning.

16 Q. Okay.

17 Who did you report to at the
18 beginning?

19 A. Yuliya.

20 Q. Yuliya?

21 A. I forget her full name.

22 Q. Male or female?

23 A. Female.

24 Q. And you don't remember the last
25 name of Ms. Yuliya?

1 I. Zubiy -- CONFIDENTIAL

2 A. No.

3 Q. And what specifically did you do
4 when you began working in the risk
5 department in August, 2011?

6 A. I looked through the financial
7 statements of the company and decide
8 whether to give a loan or not. We work
9 with corporate clients only.

10 Q. Okay.

11 So were you assessing the risk
12 of corporate clients that were seeking
13 financing from Probusinessbank?

14 A. Yes.

15 Q. And how long did you do that?

16 A. For two years.

17 Q. And what were the kinds of
18 information -- what was the --

19 MR. HECKER: Strike that.

20 Q. What did you -- what type of
21 information did you review in deciding
22 whether or not to extend a loan to a
23 potential borrower of Probusinessbank?

24 A. Financial statements of the
25 company for couple of years and reports

1 I. Zubiy -- CONFIDENTIAL

2 from the business team that described the
3 client, the relationship with the client,
4 about the business of the client, and so
5 on.

6 Q. Any other information that you
7 would review in deciding whether or not to
8 extend a loan to a potential borrower from
9 Probusinessbank?

10 A. A report from security of the
11 bank. They provide the report about the
12 client and his business.

13 Q. Did you say from the security
14 department?

15 A. Yes.

16 Q. Was that a due diligence report?

17 A. Sort of, yes.

18 Q. How did you learn what types of
19 information you were supposed to review
20 before deciding whether Probusinessbank
21 could extend financing to a potential
22 borrower?

23 A. It was all written in
24 Probusinessbank reports how you should
25 assess the client right.

1 I. Zubiy -- CONFIDENTIAL

2 Q. There were policies around that
3 issue?

4 A. Yes.

5 Q. And did you receive training
6 from other employees about how to conduct
7 the risk assessment of potential borrowers
8 of the bank?

9 A. Yes.

10 Q. You said that Mr. Zheleznyak,
11 your cousin by marriage, recommended you
12 to risk management to be hired; is that
13 correct?

14 A. Yes.

15 Q. How long after he recommended
16 you for employment were you hired?

17 A. I would say two weeks. During
18 this two weeks, we had major training
19 where you can look at a department of the
20 bank and see and know that specific.

21 Q. You understood that Mr.
22 Zheleznyak was one of the owners of the
23 bank; is that correct?

24 MS. WOLLIN: Objection to form.

25 Q. You can answer.

1 I. Zubiy -- CONFIDENTIAL

2 A. Yes.

3 Q. And did you also understand that
4 Sergey Leontiev was an owner of the bank?

5 A. I knew that he was the president
6 of the bank.

7 Q. And did you know that he was an
8 owner of the bank as well?

9 MS. WOLLIN: Objection to the
10 form.

11 THE WITNESS: Yes.

12 Q. And did you know -- did you have
13 an understanding that Mr. Zheleznyak and
14 Mr. Leontiev were partners?

15 MS. WOLLIN: Objection to the
16 form.

17 THE WITNESS: Yes.

18 Q. And did you have an
19 understanding of how long they had been
20 partners?

21 A. For a long time.

22 Q. Did you meet Mr. Leontiev before
23 you began working at Probusinessbank?

24 A. Yes.

25 Q. When did you first meet Mr.

1 I. Zubiy -- CONFIDENTIAL

2 Leontiev?

3 A. I don't remember.

4 Q. Was it when you were a young
5 child?

6 A. No.

7 Q. Do you think it was while you
8 were in university?

9 A. It might be.

10 Q. And were you introduced by Mr.
11 Zheleznyak to Mr. Leontiev?

12 A. Yes.

13 Q. What did Mr. Zheleznyak say to
14 you about his relationship with Mr.
15 Leontiev when you first met Mr. Leontiev?

16 A. Mr. Zheleznyak always said that
17 it's his friend.

18 Q. Other than Mr. Zheleznyak and
19 Mr. Leontiev, did you have an
20 understanding about whether there were
21 other owners of Probusinessbank?

22 A. Yes.

23 Q. Who did you understand the other
24 owners to be?

25 A. Edward Panteleev and Edward

1 I. Zubiy -- CONFIDENTIAL

2 Bikmaev.

3 Q. Was the first person you
4 mentioned last name Panteleev?

5 A. Yes, P A N T E L E V. No, I
6 think there is like L E E V.

7 Q. Anyone else that you understood
8 to be an owner of the bank?

9 A. Only those four.

10 Q. Did you understand that Mr.
11 Leontiev was the majority owner of the
12 bank?

13 A. Yes.

14 Q. And ultimately you worked for
15 Mr. Leontiev as president of the bank;
16 right?

17 A. I worked for bank.

18 Q. And he was the president of the
19 bank?

20 A. He was the president of the
21 bank.

22 Q. And if he gave instructions, you
23 followed them?

24 A. I reported to Yuliya and to Mr.
25 Lavraytis at that time.

1 I. Zubiy -- CONFIDENTIAL

2 Q. Right.

3 My question to you is if Mr.
4 Leontiev gave you instructions to take
5 some action while he was president of the
6 bank, did you follow those instructions?

7 MS. WOLLIN: Objection. Asked
8 and answered.

9 Q. You can answer.

10 A. I would always confirm with Mr.
11 Lavraytis.

12 Q. You said that you worked in risk
13 management --

14 MR. HECKER: Sorry, strike that.

15 Q. You said you worked in the risk
16 department for two years beginning in
17 August, 2011; is that right?

18 A. Yes.

19 Q. Did you obtain a different job
20 after two years in the risk department?

21 A. No.

22 Q. So did you remain in the risk
23 department in 2013?

24 A. Until September.

25 Q. Of 2013?

1 I. Zubiy -- CONFIDENTIAL

2 A. Yes.

3 Q. And what was --

4 A. Can I correct it?

5 Q. Please.

6 A. In September, 2013, I went to
7 United Kingdom to obtain my master's
8 degree but I still remained an employee of
9 the bank, so yes.

10 Q. So in 2013, you moved to London
11 to begin studying for a master's; is that
12 correct?

13 A. No.

14 Q. No?

15 A. I moved to Nottingham.

16 Q. Nottingham. I apologize.

17 So you moved to Nottingham.

18 Where did you study in

19 Nottingham?

20 A. In Nottingham University.

21 Q. And you began that in 2013?

22 A. Yes.

23 Q. How long did it take you to --
24 did you obtain a master's degree?

25 A. Yes.

1 I. Zubiy -- CONFIDENTIAL

2 Q. When?

3 A. In December, 2014.

4 Q. So it was a three-month program?

5 A. A year and three months.

6 Q. December, 2014?

7 A. '14.

8 Q. Sorry.

9 And were you a full-time student
10 during that period?

11 A. Yes.

12 Q. But is it your testimony that
13 you continued doing some work for
14 Probusinessbank while you were a full-time
15 student?

16 A. Yes.

17 Q. How many hours a week were you
18 working for Probusinessbank during the
19 time you were in Nottingham as a full-time
20 student?

21 A. Not much, not many.

22 Q. More than five hours a week?

23 A. No.

24 Q. Okay.

25 So you did very little work

1 I. Zubiy -- CONFIDENTIAL
2 during the time you were a full-time
3 student?

4 A. Yes.

5 Q. What was your master's in?

6 A. Risk management.

7 Q. And when you graduated in
8 December, 2014, what did you do next in
9 terms of employment, if anything?

10 A. I start working for Wonderworks.

11 Q. Before I turn to Wonderworks, am
12 I correct that in December, 2014 after
13 receiving your master's degree you moved
14 to London; is that right?

15 A. Yes.

16 Q. Okay.

17 And when you moved to London,
18 did you begin working for Wonderworks
19 immediately at that point in December,
20 2014?

21 A. No.

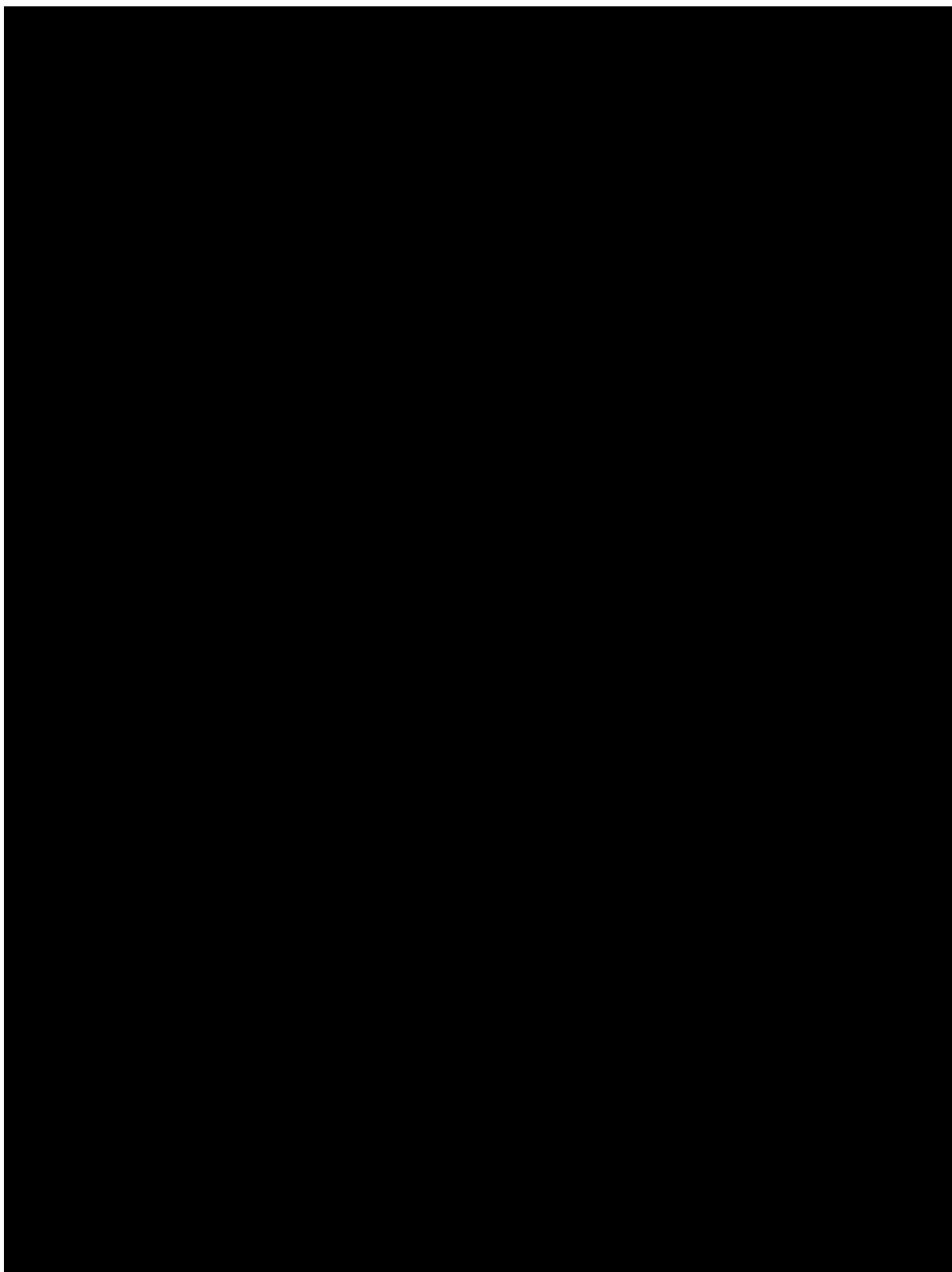
22 Q. When did you start working for
23 Wonderworks?

24 A. The beginning of 2015.

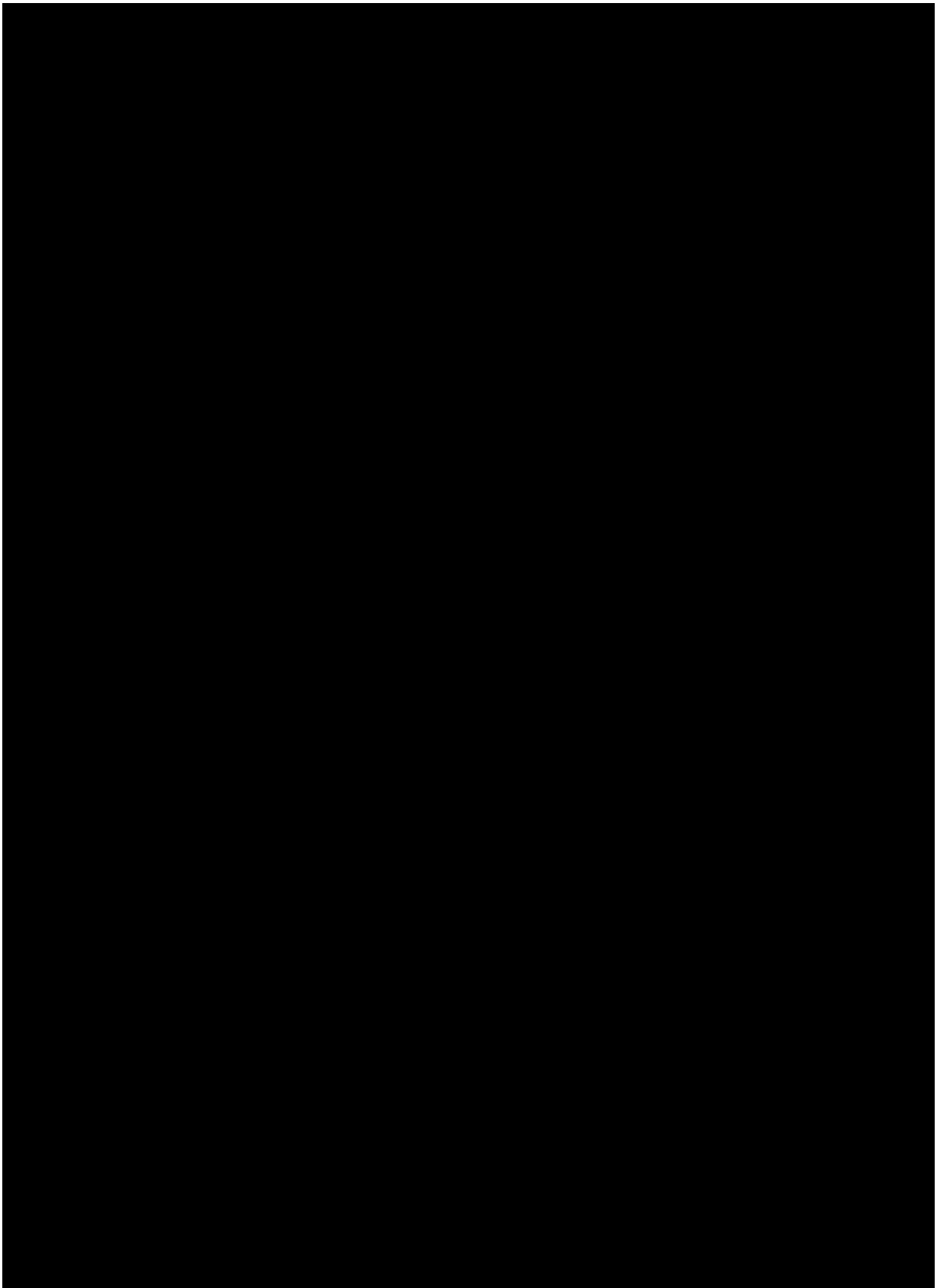
25 Q. So putting aside the fewer than

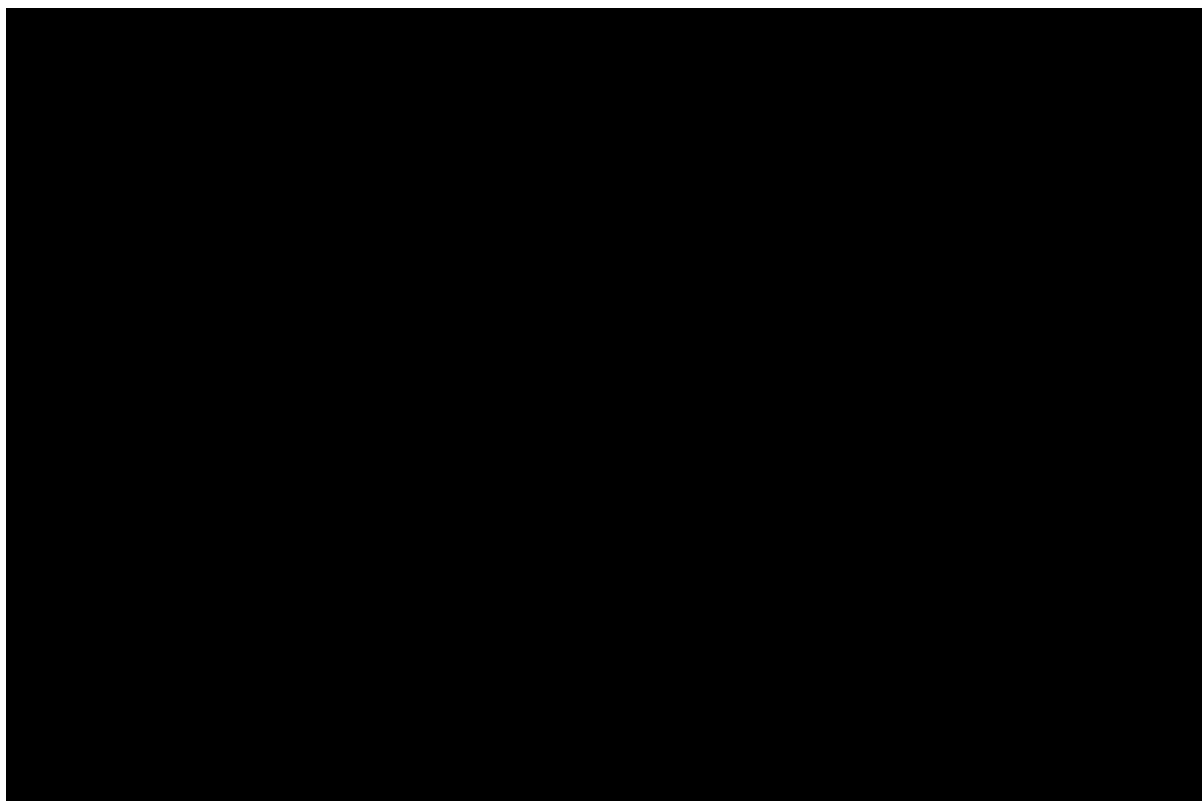
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Q. What happened in December, 2015?

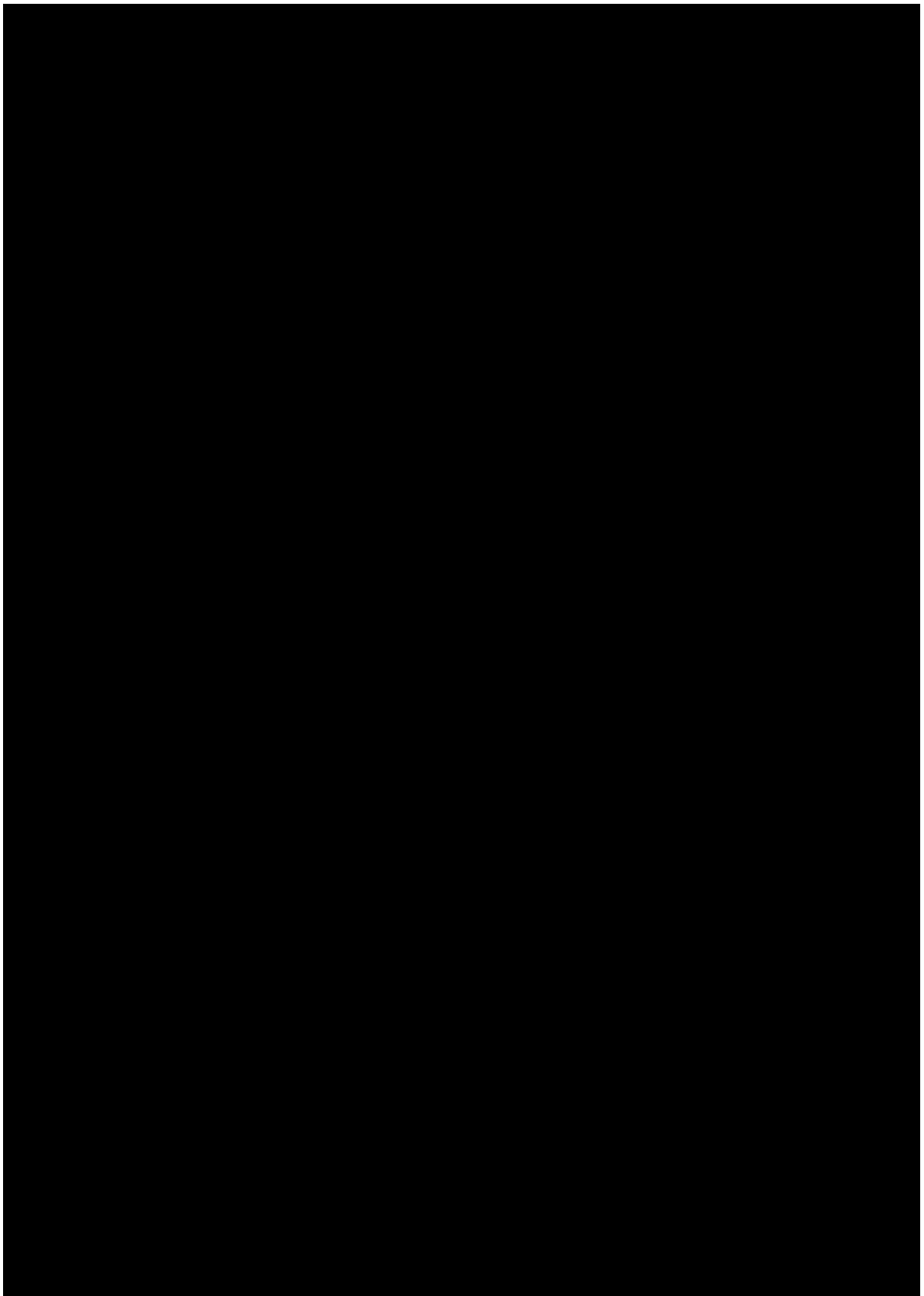
A. Mr. Leontiev was no longer the
beneficial owner of Wonderheart.

Q. Did he sell his interest in
Wonderheart?

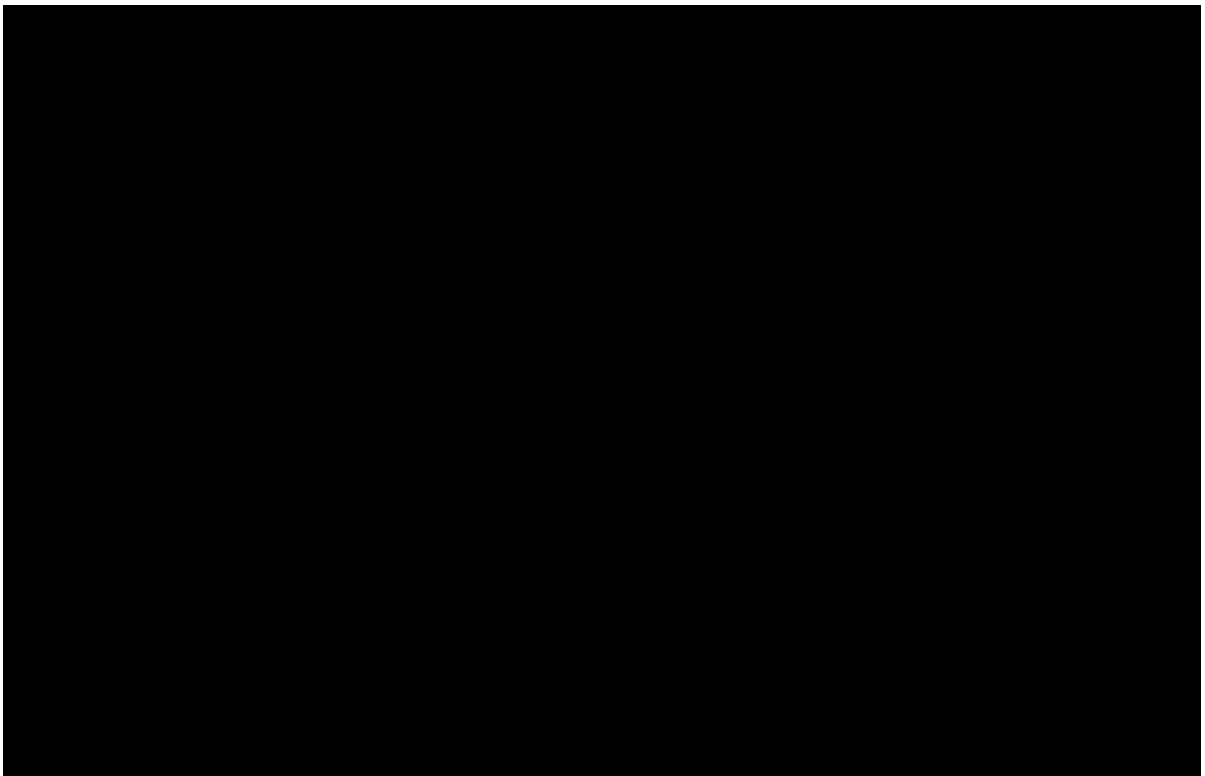
A. I don't know.

(CONTINUED IN SEPARATE
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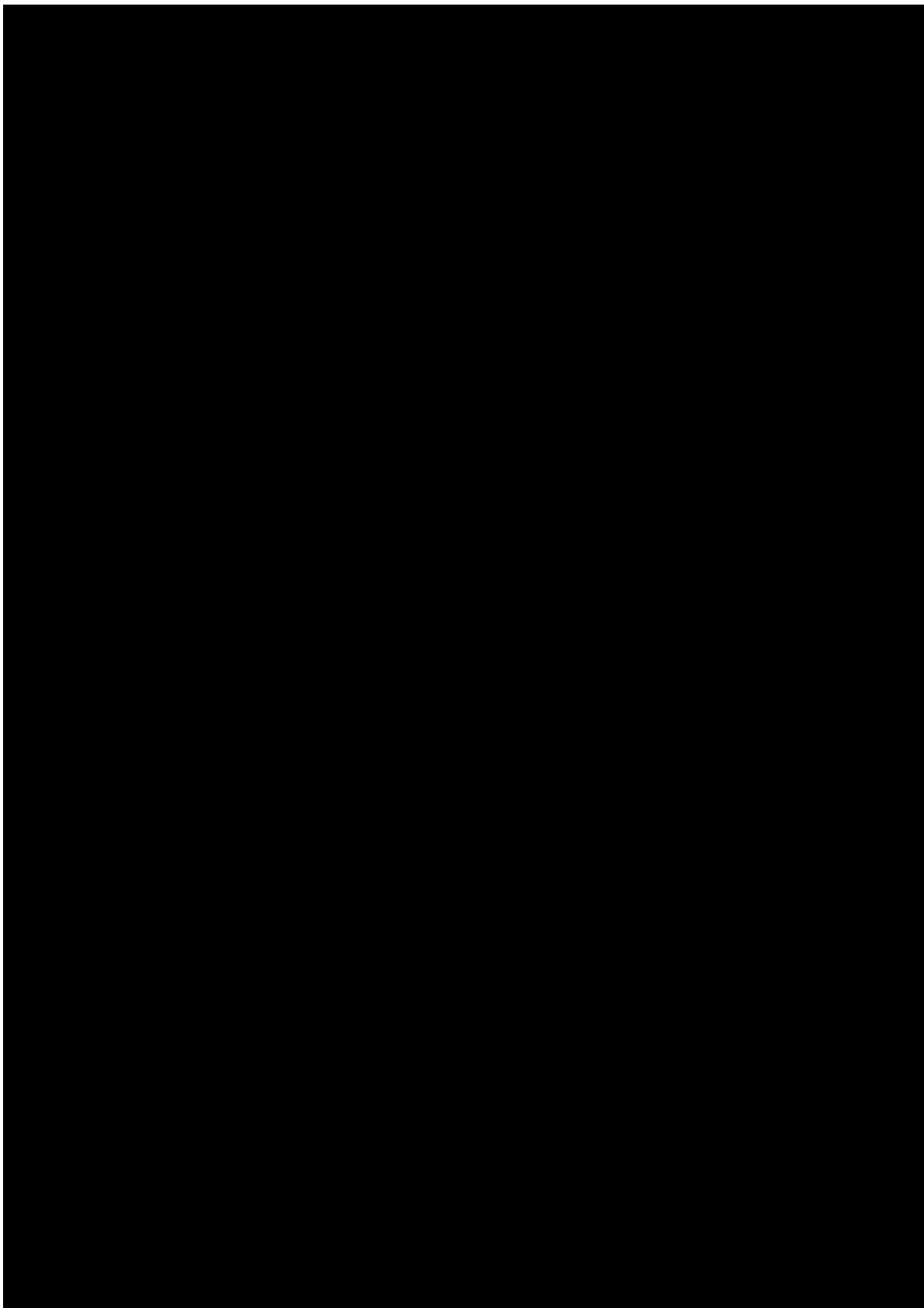
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Q. Are you familiar with someone
named Natalia Abramova?

5

A. Yes.

6

7

Q. Did Ms. Abramova work with Ms.
Vyulkova?

8

A. No.

9

10

Q. Are you familiar with someone
named Ms. Krisyuk?

11

A. Yes.

12

Q. And who is that?

13

A. Former employee of the bank.

14

Q. Did she work with Ms. Vyulkova?

15

A. No.

16

17

Q. What was Ms. Krisyuk's role at
Probusinessbank?

18

19

A. She used to work for VIP
department of the bank.

20

Q. And how do you know that?

21

22

A. Their office located at the same
-- at Avilon building.

23

24

25

Q. So during the time you worked at
Probusinessbank, you had occasion to
interact with Ms. Krisyuk?

1 I. Zubiy -- CONFIDENTIAL

2 Wonderworks, did you have occasion to
3 understand what Ms. Vyulkova's role was at
4 Probusinessbank?

5 A. No.

6 Q. Are you familiar with someone
7 named Nataliya Kudryakove?

8 A. Yes, I think it might be the one
9 that worked for Aleksandra Vyulkova.

10 Q. And what was her role?

11 A. She was in Aleksandra Vyulkova's
12 team.

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23 Q. And did you have an

24 understanding of whether they managed

25 other companies not reflected on

1 I. Zubiy -- CONFIDENTIAL

2 Q. What was your understanding of
3 why all those other companies were
4 created?

5 A. I don't know.

6 Q. Well, how did you learn about
7 the fact that Ms. Vyulkova's team managed
8 a number of companies that were not
9 reflected on the bank's balance sheet?

10 A. At some point I start managing
11 them.

12 Q. And when did that point come?

13 A. It depend on the companies.

14 Q. When was the first time you
15 began managing a company that had been set
16 up by Ms. Vyulkova or one of her team
17 members that was not owned by
18 Probusinessbank?

19 MS. WOLLIN: Objection to form.

20 Q. You can answer.

21 A. I think it was August, 2015 or
22 maybe September, 2015.

23 Q. And do you understand when the
24 Probusinessbank license was revoked by the
25 Central Bank?

1 I. Zubiy -- CONFIDENTIAL

2 A. Yes.

3 Q. When was that?

4 A. August 12, 2015.

5 Q. So was it soon after the license
6 of Probusinessbank was revoked that Ms.
7 Vyulkova handed off to you responsibility
8 for managing these companies that had been
9 created by her team?

10 MS. WOLLIN: Objection.
11 Foundation.

12 THE WITNESS: Not all of them,
13 but yes.

14 Q. Which ones?

15 A. Life-Sreda Holdings Limited,
16 Life-Sreda Luxemburg, LifePay Cyprus, and
17 some other companies.

18 Q. What's the word after Life?

19 A. Sreda, S R E D A.

20 Q. Putting aside the Life companies
21 that you mentioned, were there other
22 off-balance-sheet companies that you
23 assumed responsibility for managing their
24 operations after August of 2015?

25 A. Yes.

1 I. Zubiy -- CONFIDENTIAL

2 Q. Which ones?

3 A. In August, 2016 I start managing
4 a couple of companies, for example Ambika
5 Investments Limited, Vermenda.

6 Q. And Valkera?

7 A. Yes.

8 Q. And is it your understanding
9 those companies were previously managed by
10 Ms. Vyulkova or her team members?

11 A. Yes.

12 Q. And how did you learn that?

13 A. Through communications with
14 Trident Trust.

15 Q. When was the last time you spoke
16 with Ms. Vyulkova?

17 A. It was April, 2016.

18 Q. And where was she located
19 physically during that time?

20 A. I don't know.

21 Q. Do you know where she is now?

22 A. No.

23 Q. You don't know where she lives?

24 A. No.

25 Q. After the bank's license was

1 I. Zubiy -- CONFIDENTIAL

2 A. Yes.

3 Q. What did Alexander Zheleznyak
4 tell you about who Ms. Vyulkova was?

5 A. He told me that Aleksandra
6 Vyulkova was his right hand.

7 Q. So Ms. Vyulkova was and sander
8 Zheleznyak's right hand?

9 A. She help him a lot.

10 Q. She worked for him?

11 A. She worked in the bank.

12 Q. For him?

13 A. I don't know.

14 Q. You said a moment ago that he
15 described her as his right hand.

16 Did that suggest to you that she
17 did work that he would request?

18 A. That's what he told me. I don't
19 think that she worked for him.

20 Q. That's what he told you?

21 A. Yes.

22 Q. And as his right hand, what
23 kinds of tasks did she perform, to your
24 knowledge?

25 A. She gave him financial advice on

1 I. Zubiy -- CONFIDENTIAL

2 some investments.

3 Q. What type of investments?

4 A. I don't know.

5 Q. Anything else you recall Mr.

6 Zheleznyak telling you about Ms.

7 Vyulkova's role at Probusinessbank?

8 A. No.

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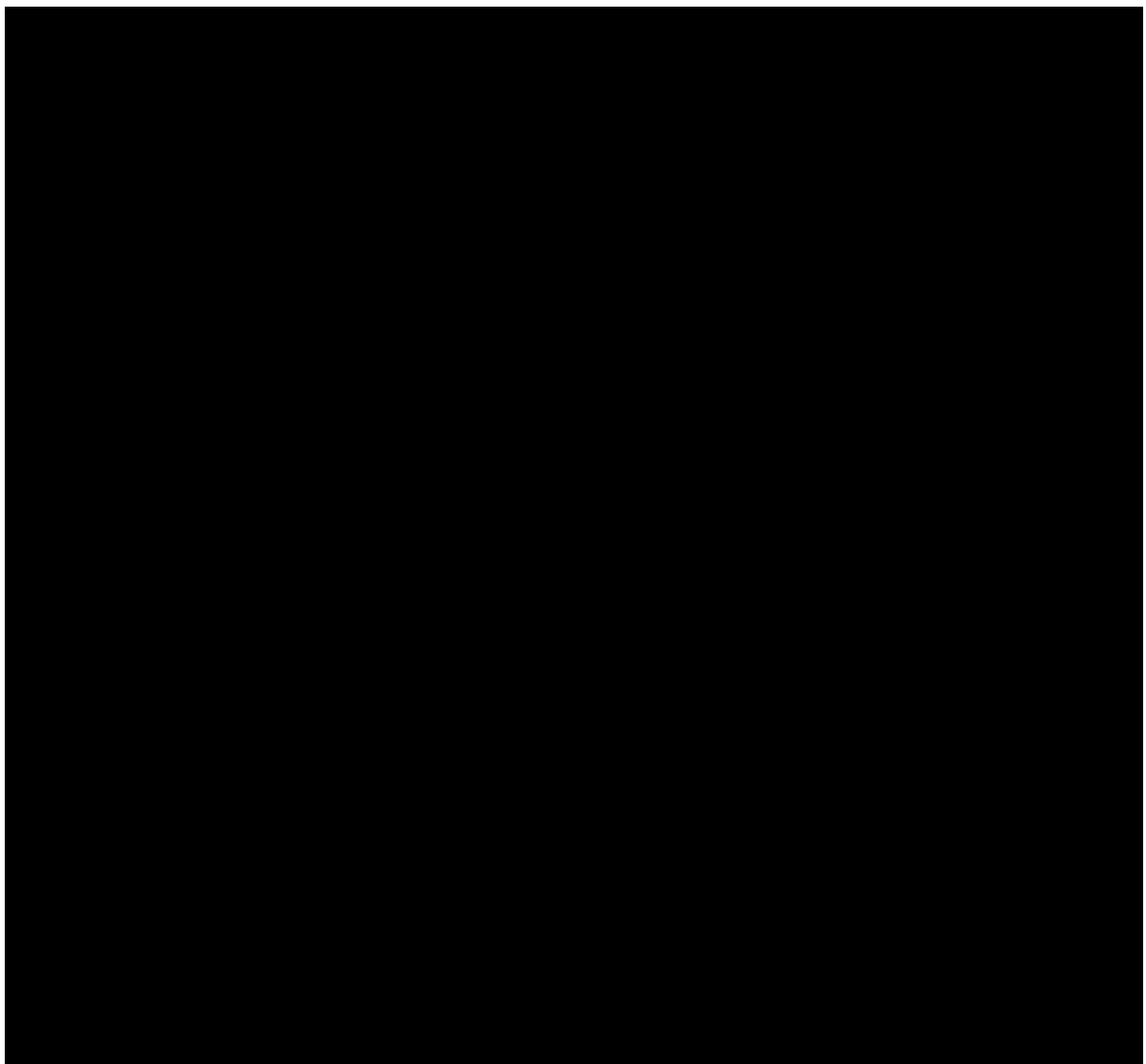
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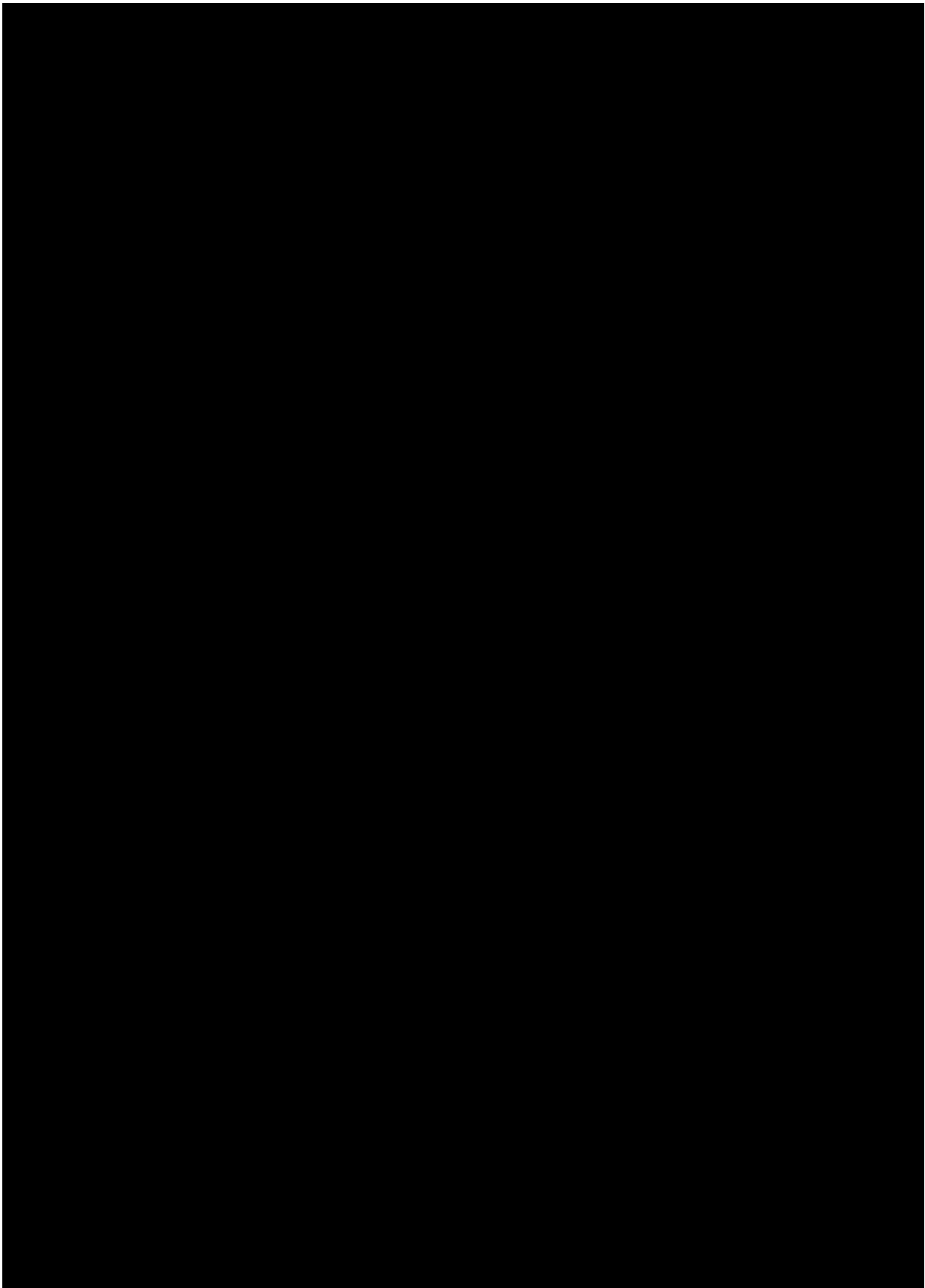
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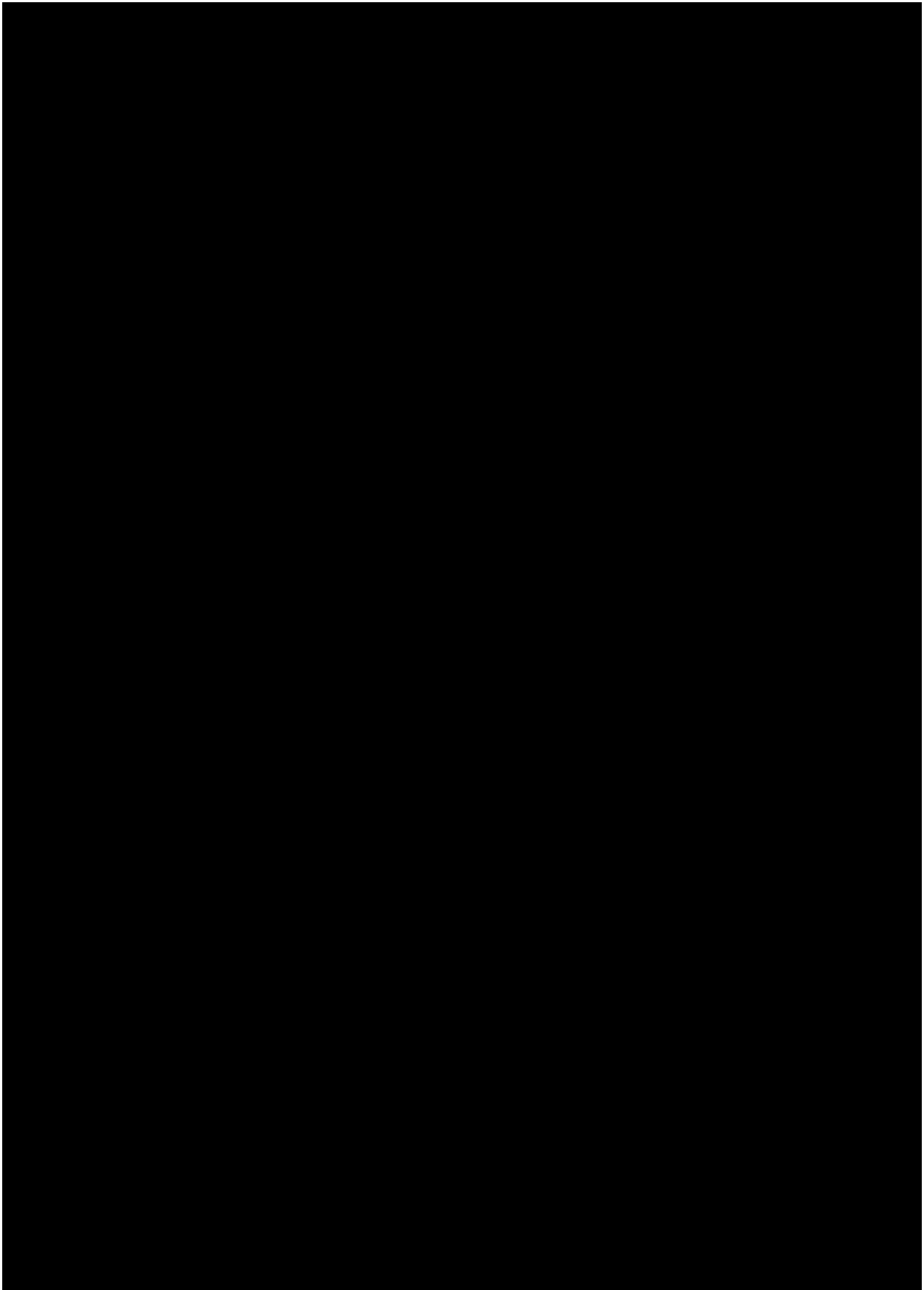
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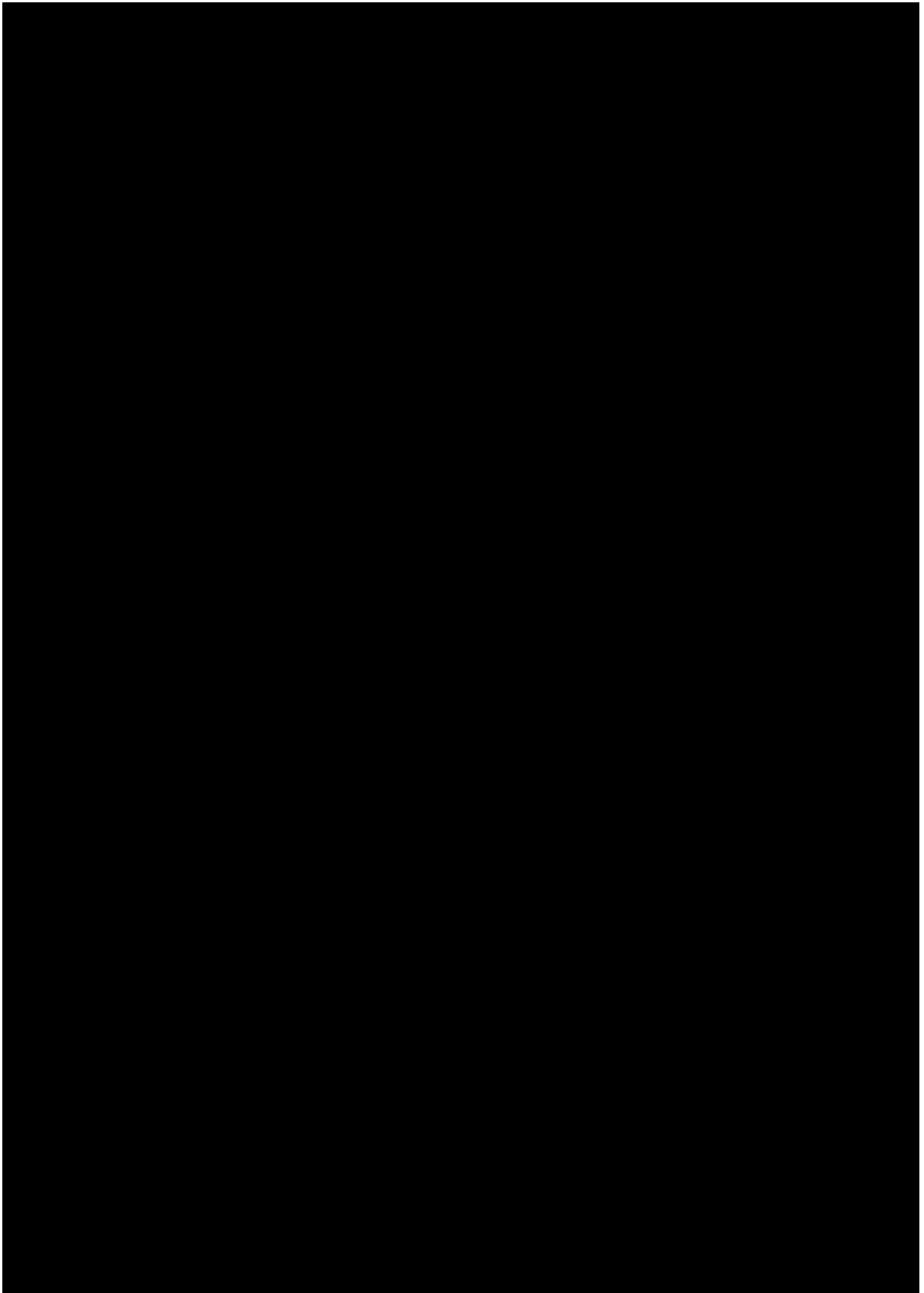
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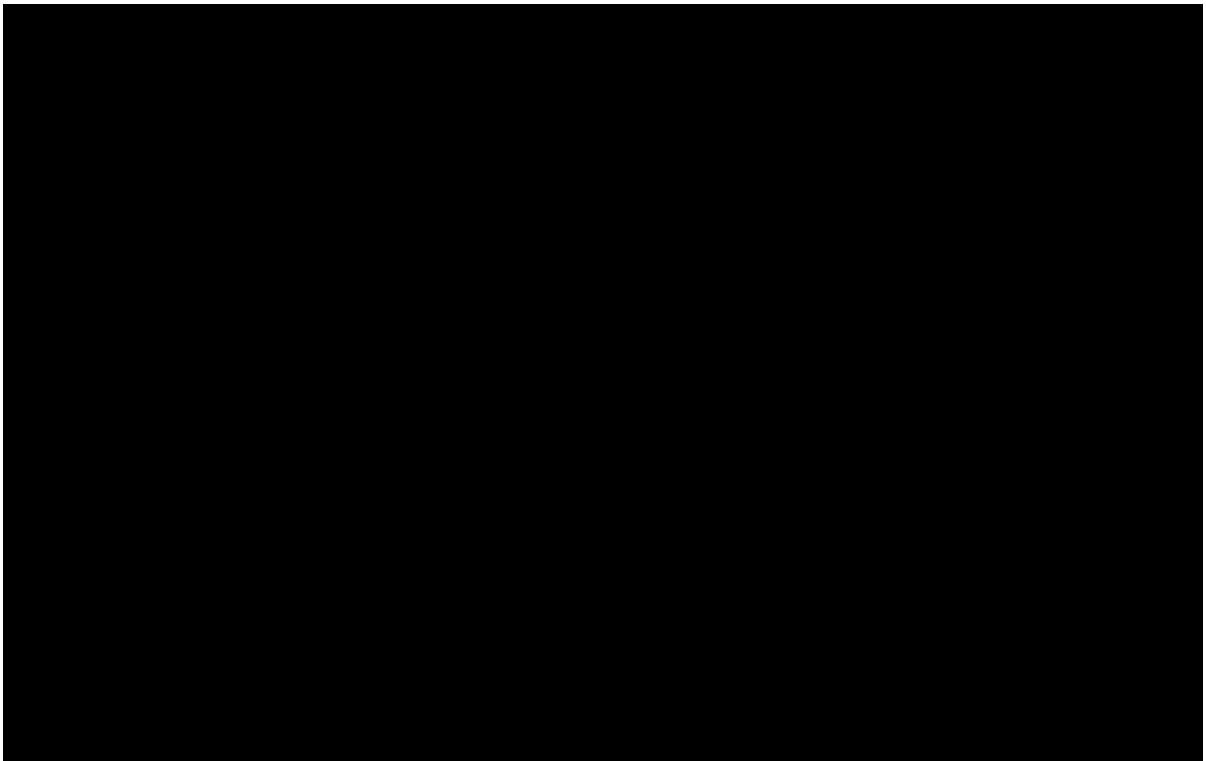
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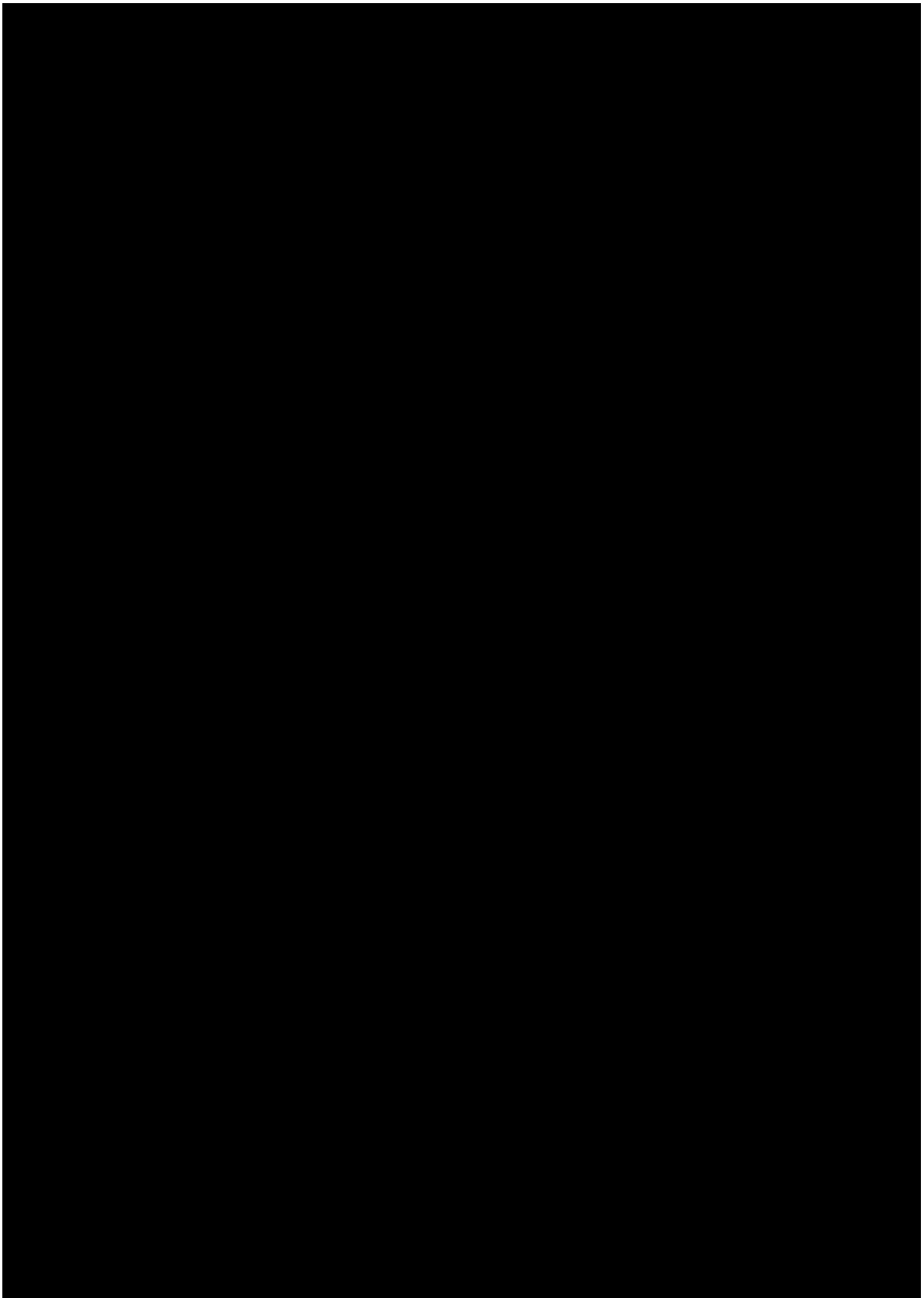
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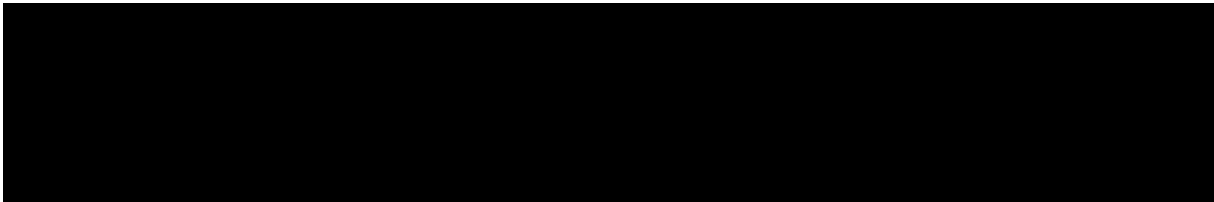
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Q. And in May, 2015, you stopped
working as a consultant for
Probusinessbank?

A. Yes.

Q. And at that time did you become
employed by Grid Capital Cyprus?

A. Yes.

Q. And what is Grid Capital Cyprus?

A. Cyprus company.

Q. Owned by who?

A. By Mr. Tirando.

Q. Who's that?

A. He's known for playing paintball
all the time.

Q. Can you spell his name, please?

A. T I R A N D O.

Q. Tirando, T I R A N D O?

A. Yes.

Q. And he's known for playing
paintball?

A. Yes. He's professional in this
area.

1 I. Zubiy -- CONFIDENTIAL

2 best trading execution solutions that are
3 available to the company.

4 Do you see that?

5 A. Yes.

6 Q. Do you have an understanding
7 that he performed those functions for
8 Wonderworks?

9 A. I don't know.

10 Q. Did you know that in or about
11 October of 2015 that information was being
12 collected for purposes of trying to obtain
13 a visa to work in the United States for
14 Mr. Leontiev?

15 A. Yes.

16 Q. Did you participate in
17 collecting information for that purpose?

18 A. Yes.

19 Q. And where did you obtain
20 information for that purpose?

21 MS. WOLLIN: Objection. Vague.

22 THE WITNESS: You ask where?

23 Q. Correct.

24 Where did you gather information
25 for the purpose of trying to help Mr.

1 I. Zubiy -- CONFIDENTIAL

2 Leontiev obtain a visa?

3 A. From Trident Trust or from Grid
4 Market Research offices. It depends on
5 information that was needed.

6 Q. And did you tell Trident Trust
7 or Grid Market Research what information
8 specifically was needed to assist Mr.
9 Leontiev in trying to obtain a visa?

10 A. We had a special person who
11 managed the visa activities, so she asked
12 me to prepare some documents as an
13 authorized person for both of those
14 companies, yes, I did.

15 Q. And who was that person who
16 would ask you to prepare that information?

17 A. She's also lawyer.

18 MS. WOLLIN: You can provide her
19 name but don't reveal the substance of
20 any communications with her.

21 THE WITNESS: Her name is Lyuba
22 Selvanski. It's S E L V A N S K Y, I
23 guess. Oh, I think it's I at the end.

24 Q. Is she a U.S. lawyer?

25 A. I think so.

1 I. Zubiy -- CONFIDENTIAL

2 Wonderworks using e-mail addresses in
3 other people's names?

4 A. No.

5 Q. Did you ever send e-mails
6 purporting to be on behalf of Mr.
7 Shcheglyayev, for example?

8 MS. WOLLIN: Objection.
9 Foundation.

10 THE WITNESS: Yes.

11 Q. And did you send e-mails from
12 Mr. Shcheglyayev using Irina Zubiy at
13 Gmail.com?

14 A. No.

15 Q. Did you use Mr. Shcheglyayev's
16 e-mail account?

17 MS. WOLLIN: Objection.

18 MR. HECKER: Strike that.

19 Q. Did you use an e-mail account
20 the name of which included Shcheglyayev's
21 name at Gmail.com?

22 A. Yes.

23 Q. And who asked you to do that?

24 A. The lawyers.

25 Q. Which lawyers?

1 I. Zubiy -- CONFIDENTIAL

2 your own?

3 A. Yes.

4 Q. Did you tell the people at
5 Trident Trust that, when you sent e-mails
6 from an e-mail address with Mr.
7 Shcheglyayev's name, that Mr. Shcheglyayev
8 wouldn't be the one sending those e-mails?

9 MS. WOLLIN: Objection
10 foundation.

11 THE WITNESS: No.

12 Q. So is it your understanding that
13 the Trident Trust directors believed when
14 they received e-mails from a Shcheglyayev
15 e-mail account that they were, in fact,
16 sent by Mr. Shcheglyayev?

17 MS. WOLLIN: Objection. Calls
18 for speculation.

19 THE WITNESS: I don't know what
20 they believed but that's how they
21 received the e-mails.

22 Q. And did you ever tell them that
23 Mr. Shcheglyayev was not sending those
24 e-mails?

25 A. No.

1 I. Zubiy -- CONFIDENTIAL

2 Q. Did they ever ask you if Mr.
3 Shcheglyaev was the one sending the
4 e-mails?

5 A. No.

6 Q. Did anyone at Wonderworks know
7 that you were sending e-mails using Mr.
8 Shcheglyaev's name to interact with
9 Trident Trust?

10 MS. WOLLIN: Objection. Vague as
11 to anyone at Wonderworks.

12 THE WITNESS: I don't think so.

13 Q. Did you talk to Mr. Kolotnikov
14 about that topic?

15 A. Not at that time.

16 Q. Did you subsequently talk to him
17 about that topic?

18 A. Yes.

19 Q. What did you tell him?

20 MS. WOLLIN: I caution you not to
21 reveal any communications with
22 lawyers.

23 Q. I'm not asking you about
24 communications with lawyers, I'm asking
25 you about discussions with Mr. Kolotnikov.

1 I. Zubiy -- CONFIDENTIAL

2 A. I just let him know that I had
3 some information because I used an e-mail
4 address, that e-mail address.

5 Q. The Shcheglyayev e-mail address?

6 A. That e-mail address that I
7 established, I made in order to
8 communicate with Trident.

9 MS. WOLLIN: Do you need a break?
10 Can we go off the record for a minute?

11 THE VIDEOGRAPHER: Going off the
12 record 12:26 p.m.

13 (Whereupon a break was taken)

14 THE VIDEOGRAPHER: We're back on
15 the record at 12:37 p.m.

16 Q. Ms. Zubiy, before we broke, you
17 testified that you established an e-mail
18 address with Mr. Shcheglyayev's name in
19 order to communicate with Trident Trust;
20 is that correct?

21 A. Yes.

22 Q. What was the name that you used
23 in the e-mail address you established?

24 A. Alex Shcheglyayev.

25 Q. Alexshcheglyayev@gmail.com?

1 I. Zubiy -- CONFIDENTIAL

2 A. It was I think
3 alex.shcheglyaev@gmail.com.

4 Q. And how did you establish that
5 e-mail address?

6 A. Open a Web site with mail,
7 Google like mails and set an account at
8 Gmail.com.

9 Q. And did you set up the account
10 so that you were the actual account holder
11 and could access the account?

12 MS. WOLLIN: Objection. Vague.

13 THE WITNESS: I have the like
14 name and the password, yes.

15 Q. So you set it up so you had the
16 password to use the account; right?

17 A. Yes.

18 Q. And did you associate your phone
19 number with the account if anyone needed
20 to contact you about the account?

21 A. That wasn't necessary.

22 Q. Okay.

23 And when you set up the Gmail
24 account with Mr. Shcheglyaev's name in it,
25 did you provide the account access

1 I. Zubiy -- CONFIDENTIAL

2 information to anyone else?

3 A. I provide the name to Mr.
4 Shcheglyayev.

5 Q. Did you give him the password so
6 that he could send e-mails from the
7 account?

8 A. He never asked about it.

9 Q. I asked you if you provided him
10 with the password.

11 A. No.

12 Q. Did you provide the password to
13 anyone else?

14 A. No.

15 Q. Who? To whom did you provide
16 it?

17 A. Svetlana Mishustina, M I S H U S
18 T I N A, Svetlana.

19 Q. And who is Ms. Mishustina?

20 A. She is the former employee of
21 Probusinessbank.

22 Q. And why did you provide Ms.
23 Mishustina with the password to use the
24 alex.shcheglyayev@gmail.com e-mail address?

25 A. In order to delete this e-mail.

1 I. Zubiy -- CONFIDENTIAL

2 Q. In order to delete his e-mail?

3 A. This e-mail.

4 Q. Which e-mail?

5 A. Alex.shcheglyayev@gmail.com.

6 Q. And why couldn't you delete that
7 e-mail?

8 A. I don't think that I know how to
9 do it one hundred percent like.

10 Q. Who was Ms. Mishustina?

11 A. Former employee of the bank.

12 Q. Why did you send her the
13 password of the account?

14 MS. WOLLIN: Objection. Asked
15 and answered.

16 THE WITNESS: Now she's the
17 employee of Grid Capital Cyprus.

18 Q. And is she an IT expert?

19 A. She communicates with IT
20 experts. But she's more of a secretary.

21 Q. And you instructed her to find a
22 way to delete the e-mail that would have
23 otherwise been found at the
24 alex.shcheglyayev@gmail.com address?

25 MS. WOLLIN: Objection. Form;

1 I. Zubiy -- CONFIDENTIAL

2 foundation. Misstates her testimony.

3 Q. You can answer.

4 A. No.

5 Q. Why did you send her the
6 password to delete e-mail from that
7 account?

8 A. I was asked to send her the
9 password and the e-mail address in order
10 for her to ask somebody to delete it.

11 Q. Who asked you to do that?

12 A. Alexander Zheleznyak.

13 Q. And when did he ask you to do
14 that?

15 A. I think it was May.

16 Q. Of 2016?

17 A. Yes.

18 Q. So Mr. -- what exactly did Mr.
19 Zheleznyak ask you to do?

20 A. Stop using this e-mail and send
21 the e-mail details to Svetlana Mishustina
22 in order so she can have a chance to give
23 it to IT and they can delete it.

24 Q. Did he ask you to take care to
25 preserve copies of the correspondence that

1 I. Zubiy -- CONFIDENTIAL

2 had sent from or received by that account?

3 A. No.

4 Q. Did he tell you why he wanted
5 you to delete e-mail from that e-mail
6 address?

7 A. He told me that lawyers ask him
8 to do so or advised him to do so.

9 Q. Did he tell you which lawyers
10 advised him to delete e-mail from that
11 e-mail address?

12 MS. WOLLIN: Objection.
13 Foundation.

14 A. No.

15 MR. HECKER: What's the basis for
16 your foundational objection? She just
17 testified that lawyers instructed him
18 to tell her to delete e-mail from this
19 e-mail address.

20 MS. WOLLIN: You asked you her
21 about deleting e-mail from that e-mail
22 address. I'm not sure that's an
23 accurate reflection of her testimony
24 as to what she was requesting of
25 Svetlana.

1 I. Zubiy -- CONFIDENTIAL

2 obviously there were all e-mails regarding
3 these companies, special companies, so
4 eventually Alex Shcheglyaev e-mails had
5 been in there.

6 Q. You said these companies,
7 special companies?

8 A. I mean some companies.

9 Q. And those companies are
10 Cyprus-based companies?

11 A. Yeah, I think so.

12 Q. They're all offshore?

13 A. They're Cyprus.

14 Q. And these are all -- are all
15 these companies companies for which Mr.
16 Shcheglyaev purported to serve as an owner
17 of the entity?

18 MS. WOLLIN: Objection.
19 Foundation.

20 THE WITNESS: He's the
21 beneficial owner of the companies.

22 Q. You learned at some point,
23 didn't you, that Mr. Shcheglyaev didn't
24 actually make any decisions with respect
25 to the operation of the companies on which

1 I. Zubiy -- CONFIDENTIAL
2 he was identified as the beneficial owner;
3 isn't that right?

4 MS. WOLLIN: Objection.
5 Foundation.

6 THE WITNESS: Yes, that's true.

7 Q. And you understood that, in
8 fact, decisions were made by others
9 working at Probusinessbank or for Mr.
10 Leontiev directly; right?

11 MS. WOLLIN: Objection. Form;
12 foundation.

13 THE WITNESS: I understood that
14 somebody else made the decisions.

15 Q. Okay.

16 Prior to the time that you
17 communicated with Trident on behalf of
18 Wonderworks, I believe you testified that
19 Ms. Vyulkova or people on her team had
20 that role; is that accurate?

21 A. Yes.

22 Q. And did you understand whether
23 Ms. Vyulkova or people on her team also
24 sent or received e-mails from a
25 Shcheglyaev Gmail account that they

1 I. Zubiy -- CONFIDENTIAL
2 address that had his name on it; is that
3 what you're describing?

4 A. Yes.

5 Q. Did he know what you would be
6 doing in terms of the instructions you
7 would give Trident Trust?

8 A. He knew that I would collect
9 some documents from Trident Trust.

10 Q. What documents?

11 A. I never specified to him.

12 Q. Do you know how Mr. Shcheglyaev
13 was compensated for permitting people to
14 use his name as the beneficial owner?

15 MS. WOLLIN: Objection.

16 Foundation.

17 Q. Do you know?

18 A. No.

19 Q. Has anyone ever told you why Mr.
20 Shcheglyaev agreed to allow his name to be
21 used as the beneficial owner for a number
22 of these special companies?

23 MS. WOLLIN: Objection.

24 Foundation.

25 Q. You can answer.

1 I. Zubiy -- CONFIDENTIAL

2 A. I know he was paid.

3 Q. Who told you that?

4 A. I think it was Mr. Zheleznyak.

5 Q. What did he tell you?

6 A. That Mr. Shcheglyaeв was paid
7 for being a beneficial owner of some of
8 the companies.

9 Q. Do you know how much he was
10 paid?

11 A. No.

12 Q. Was there anyone else who was
13 paid to serve as a beneficial owner of
14 these companies?

15 MS. WOLLIN: Which companies?

16 MR. HECKER: Any of the
17 companies.

18 MS. WOLLIN: Objection.
19 Overbroad. Vague.

20 Q. You can answer if you know.

21 MS. WOLLIN: How can she answer?
22 You haven't specified what companies
23 you're talking about.

24 Q. Are you aware of other
25 individuals like Mr. Shcheglyaeв who were

1 I. Zubiy -- CONFIDENTIAL

2 Q. Do you know who sent this
3 e-mail?

4 A. What do you mean by that?

5 Q. Who actually wrote and hit send
6 on the e-mail from the
7 shcheglyaev@gmail.com account to the
8 Trident employees.

9 A. I don't know.

10 Q. You don't know.
11 Have you ever seen this document
12 before?

13 A. No.

14 Q. In December of 2015, do you know
15 who was sending e-mail from the
16 Shcheglyaev Gmail.com account, generally
17 speaking?

18 A. In December, 2015, I didn't know
19 anything about the existence of this
20 e-mail.

21 Q. And did you later learn who
22 would have had control of the Shcheglyaev
23 Gmail.com account in December, 2015?

24 A. I would say Aleksandra
25 Vyulkova's team had an access to this

1 I. Zubiy -- CONFIDENTIAL

2 e-mail address.

3 Q. Vyulkova's team had access?

4 A. Yes.

5 Q. Do you know who on Vyulkova's
6 team was communicating with Trident with
7 respect to the activities of Valkera,
8 Ambika, or Vermenda in December, 2015?

9 A. No.

10 Q. In December of 2015, am I right
11 that Probusinessbank's license had been
12 revoked; correct?

13 A. Yes.

14 Q. Were there any Probusinessbank
15 employees working for Probusinessbank in
16 December, 2015?

17 A. The license was revoked. You
18 can't work for a bank, so no.

19 Q. So no.

20 So do you know where Ms.
21 Vyulkova or members of her team were
22 working in December, 2015?

23 MS. WOLLIN: Objection to form.

24 THE WITNESS: No, I don't know.

25 Q. Do you know whether they were

CERTIFICATION BY REPORTER

I, Wayne Hock, a Notary Public of the State of New York, do hereby certify:

That the testimony in the within proceeding was held before me at the aforesaid time and place;

That said witness was duly sworn before the commencement of the testimony, and that the testimony was taken stenographically by me, then transcribed under my supervision, and that the within transcript is a true record of the testimony of said witness.

I further certify that I am not related to any of the parties to this action by blood or marriage, that I am not interested directly or indirectly in the matter in controversy, nor am I in the employ of any of the counsel.

IN WITNESS WHEREOF, I have hereunto set my hand this 17th day of January, 2017.

